

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID M. DAVID,	)	No. C 09-5934 LHK (PR)
	)	
Petitioner,	)	ORDER GRANTING
	)	PETITIONER'S MOTION FOR
v.	)	CONTINUANCE TO FILE
	)	FOURTH AMENDED PETITION
TIMOTHY M. LOCKWOOD, et al.,	)	
	)	
Respondents.	)	

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Petitioner, a California prisoner proceeding *pro se*, filed a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Before the Court is Petitioner's motion for continuance to file his fourth amended petition. The Court notes that this action has been pending since December 17, 2009 without any preliminary screening.

On August 26, 2010, the Court dismissed Petitioner's third amended petition with leave to amend because the petition was unmanageable, and directed Petitioner to file a fourth amended petition. On September 20, 2010, Petitioner requested a thirty-day extension of time to file his fourth amended petition. Petitioner's motion for continuance to file his fourth amended petition is GRANTED. Petitioner shall file his fourth amended petition on or before **November 1, 2010**. No further extensions of time are favored. **Failure to file a fourth amended petition by November 1, 2010 may result in the dismissal of this case.**

This order terminates docket no. 19.

IT IS SO ORDERED.

DATED: 10/13/2010

  
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LUCY H. KOH  
United States District Judge